

# **MANISTEE CITY PLANNING COMMISSION**

Meeting of Thursday, June 1, 2017  
7:00 p.m. - Council Chambers, City Hall, 70 Maple Street,  
Manistee, Michigan

## **AGENDA**

### **I Call to Order**

### **II Roll Call**

### **III Approval of Agenda**

At this time the Planning Commission can take action to approve the June 1, 2017 Agenda.

### **IV Approval of Minutes**

At this time Planning Commission can take action to approve the May 4, 2017 meeting Minutes.

### **V Public Hearing**

### **VI Public Comment on Agenda Related items**

### **VII New Business**

#### **Site Plan Review – Tracey Lindeman, 308 River Street**

A request has been received from Tracey Lindeman for a wood deck to be constructed on the rear of the building at 308 River Street.

At this time the Planning Commission could take action to approve/deny the request from Tracey Lindeman for a wood deck to be constructed on the rear of the building at 308 River Street as submitted with application PC-2017-

### **VIII Old Business**

#### **PC-2017-07 - River Parc Place II LLC, Zoning Amendment Request (Z17-07)**

A public hearing was held on May 4, 2017 in response to a request from River Parc Place II LLC for a Zoning Amendment that would amend Section 514 Vehicular Parking Space, Access, Bike Parking and Sidewalks, Item H and Section 1832 Dwelling Multiple Unit, Item B.3 of the City of Manistee Zoning Ordinance. The Planning Commission tabled the request until the June 1, 2017 meeting for the applicant to be present to discuss their request.

At this time the Planning Commission could take action to recommend to City Council approval/denial of a the request from River Parc Place II LLC for a Zoning Amendment that would amend Section 514 Vehicular Parking Space, Access, Bike Parking and Sidewalks, Item H and Section 1832 Dwelling Multiple Unit, Item B.3 of the City of Manistee Zoning Ordinance (Z17-07).

**IX Public Comments and Communications**

At this time the Chair will ask if there are any public comments.

**X Correspondence**

At this time the Chair will ask if any correspondence has been received to be read into the record.

**XI Staff Reports**

At this time the Chair will ask Staff for their report.

**XII Members Discussion**

At this time the Chair will ask members of the Planning Commission if they have any items they want to discuss.

**XIII Adjournment**



## Memorandum

To: Planning Commissioners

FROM: Denise Blakeslee  
Planning & Zoning Administrator

DATE: May 23, 2017

RE: June 1, 2017 Planning Commission Meeting

**Denise Blakeslee**  
**Planning & Zoning**  
**Administrator**  
70 Maple Street  
Manistee, MI 49660  
231.398.2805  
dblakeslee@manisteemi.gov  
www.manisteemi.gov

Commissioners, the next meeting of the Planning Commission will be on Thursday, June 1, 2017. We have the following items on the agenda:

### **NEW BUSINESS:**

**Site Plan Review – Tracey Lindeman, 308 River Street -** A request has been received from Tracey Lindeman for a wood deck to be constructed on the rear of the building at 308 River Street.

Since we only had one item on the agenda, staff added this to the Planning Commission Agenda to avoid having to call a special meeting of the Site Plan Review Committee.

### **OLD BUSINESS:**

**PC-2017-07 - River Parc Place II LLC, Zoning Amendment Request (Z17-07) -** A request was received from River Parc Place II LLC for a Zoning Amendment that would amend Section 514 Vehicular Parking Space, Access, Bike Parking and Sidewalks, Item H and Section 1832 Dwelling Multiple Unit, Item B.3 of the City of Manistee Zoning Ordinance. The Commission tabled this request until the June 1, 2017 meeting so the applicant could be present

Please call me if you are unable to attend the meeting 398.2805. See you Thursday!

# CITY OF MANISTEE PLANNING COMMISSION

70 Maple Street  
Manistee, MI 49660

## MEETING MINUTES

May 4, 2017

A meeting of the Manistee City Planning Commission was held on Thursday, May 4, 2017 at 7pm in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

Meeting was called to order at 7:00 pm by Chair Wittlieff

### ROLL CALL

Members Present: Maureen Barry, Aaron Bennett, Ray Fortier, Marlene McBride, Bob Slawinski, Mark Wittlieff, Roger Yoder

Members Absent: None

Others: Jim Smith (353 First Street), Barry Lind (532 Fourth Street), Denise Blakeslee (Planning & Zoning Administrator) and others

### APPROVAL OF AGENDA

Motion by Ray Fortier, seconded by Maureen Barry that the agenda be approved as prepared.

With a Roll Call vote this motion passed 7 to 0.

Yes: Barry, Bennett, Slawinski, Yoder Fortier, McBride, Wittlieff  
No: None

### APPROVAL OF MINUTES

Motion by Ray Fortier, seconded by Bob Slawinski that the minutes of the April 6, 2017 Planning Commission Meeting be approved as prepared.

With a Roll Call vote this motion passed 7 to 0.

Yes: Yoder, Bennett, Fortier, Barry, Slawinski, McBride, Wittlieff  
No: None

## **PUBLIC HEARING**

### **Zoning Amendment Z17-02 – Wireless Communication Facilities**

Chair Wittlieff opened the public Hearing at 7:02 pm

A Zoning Amendment is being proposed relating to wireless communication facilities as recommended by Clear Zoning when they performed a Review of the Zoning Ordinance.

**Denise Blakeslee, Planning & Zoning Administrator** reviewed the proposed amendment for Wireless Communication Facilities. When Clear Zoning performed the review of the Zoning Ordinance they noted that the Planning Enabling Act now references Wireless Communication Facilities not Communication Tower as we define and provide standards in the Zoning Ordinance. The standards are established by the Act.

There were no comments from the public in attendance and no correspondence received in response to the request, Chair Wittlieff closed the public hearing at 7:04 pm

### **Zoning Amendment Z17-03 – Parking Standards**

Chair Wittlieff opened the public Hearing at 7:04 pm

A Zoning Amendment is being proposed relating to the parking standards as recommended by Clear Zoning when they performed a Review of the Zoning Ordinance.

**Denise Blakeslee, Planning & Zoning Administrator** reviewed the proposed amendment to parking standards. When Clear Zoning performed the review of the Zoning Ordinance they noted the current ordinance does not provide standards for electric vehicles, deferring parking and electric vehicle parking. Bike Parking has been updated to include bicycle parking shall be located along the principal building entrance and clearly visible. Section 1828 Drive-Through Establishment amended to reference new stacking standards. Staff noted that they recommend shortening the title for Section 514 to read Parking, Bike Parking and Sidewalks.

Chair Wittlieff opened the hearing for public comments

Barry Lind, 532 Fourth Street asked a question relating to deferred parking and the impact on the Edgewater request.

Ms. Blakeslee said that the deferred parking amendment would only apply to new site plans not to existing properties.

Jim Smith 353 First Street asked about Electric Vehicle Parking and where they would be permitted.

Ms. Blakeslee said that they could either be either in a private or public parking lot.

There being no additional comments from the public in attendance and no correspondence was received in response to the request, Chair Wittlieff closed the public hearing at 7:12 pm

## **Zoning Amendment Z17-04 – Miscellaneous Items**

Chair Wittlieff opened the public Hearing at 7:13 pm

A Zoning Amendment is being proposed relating to miscellaneous items as recommended by Clear Zoning when they performed a Review of the Zoning Ordinance and some items recommended by staff.

**Denise Blakeslee, Planning & Zoning Administrator** reviewed the proposed amendment for miscellaneous items as recommended when Clear Zoning performed the review of the Zoning Ordinance and changes recommended by staff that includes changes to definitions for building envelope, solar energy system, solar storage battery and state licensed residential facilities; change to the use table (minimum floor area in PD to 500 sq. ft.); eliminate fence permits; special use standards relating to convenience store and gasoline station; change eating and drinking establishment from a special use to a use by right in W-F & C-2, delete gallery or museum and place of public assembly small as a special use with key street frontage in R-1; change mixed use development from special use to use by right in G-C, W-F, C-1, C-2 and C-3 as recommended in RRC Best Practices; delete wind energy conversion system as a special use in R-3; add the word “Light” to Purpose and Intent in the L-I district.

Chair Wittlieff opened the hearing for public comments

Barry Lind, 532 Fourth Street – spoke about the definition of Solar Storage Battery and types of storage systems available, noted a typo in the document and that items 4 and 6 are the same in Section 529 Solar Energy Systems he spoke of the language under Intent and Purpose and asked where the language came from and recommended the first sentence be shortened.

Ms. Blakeslee noted that the language was from another community’s ordinance that was tailored for the city. All the proposed amendments resulting from the Clear Zoning Audit have been reviewed and approved by the City Attorney. During the business session the Planning Commission could amend the language and ask for corrections before the document is sent to City Council.

Jim Smith 353 First Street - asked about language in Section 1841 Gasoline Station relating to Dismantled, wrecked, or immobile vehicles.

Ms. Blakeslee said that it would prohibit the storage of these vehicles at Gasoline Stations, there is separate language in the ordinance for Automobile Repair Facilities and that Junk vehicles are addressed under the Code of Ordinances.

There being no additional comments from the public in attendance and no correspondence was received in response to the request, Chair Wittlieff closed the public hearing at 7:35 pm

## **Zoning Amendment Z17-05 – Dumpster Standards**

Chair Wittlieff opened the public Hearing at 7:36 pm

A Zoning Amendment is being proposed establishing dumpster standards as recommended by Clear Zoning when they performed a Review of the Zoning Ordinance.

**Denise Blakeslee, Planning & Zoning Administrator** reviewed the proposed amendment that provides dumpster standards in general provisions. When Clear Zoning performed the review of the Zoning Ordinance they noted the current ordinance does not provide dumpster standards other than a short sentence. This new language provides clear standards and locations for dumpsters in the ordinance.

Chair Wittlieff opened the hearing for public comments

Barry Lind, 532 Fourth Street – asked about Item G and noted a typo and asked if the language could be clarified.

Ms. Blakeslee said during the business session the Planning Commission could amend the language and ask for corrections before the document is sent to City Council.

There being no additional comments from the public in attendance, Chair Wittlieff closed the public hearing at 7:43 pm

#### **Zoning Amendment Z17-06 – Signs**

Chair Wittlieff opened the public Hearing at 7:44 pm

A Zoning Amendment is being proposed relating to signs as recommended by Clear Zoning when they performed a Review of the Zoning Ordinance.

**Denise Blakeslee, Planning & Zoning Administrator** staff was aware that under the Supreme Court case Reed vs town of Gilbert the current sign ordinance required amending. Staff along with several members of the Planning Commission attended a workshop relating to the needed changes. Staff worked with the City Attorney in the development of a new ordinance that repeals and replaces the existing standards. The changes include allowing additional signs for most uses that was previously permitted and clarifying the standards and making the ordinance content neutral.

There were no comments from the public in attendance and no correspondence received in response to the request, Chair Wittlieff closed the public hearing at 7:79 pm

Chair Wittlieff opened the public Hearing at 7:50 pm

#### **PC-2017-07 - River Parc Place II LLC, Zoning Amendment Request (Z17-07)**

A request has been received from River Parc Place II LLC for a Zoning Amendment that would amend Section 514 Vehicular Parking Space, Access, Bike Parking and Sidewalks, Item H and Section 1832 Dwelling Multiple Unit, Item B.3 of the City of Manistee Zoning Ordinance.

**Denise Blakeslee, Planning & Zoning Administrator** The applicant was unable to attend the meeting and Ms. Blakeslee read the narrative that was included in the request.

Edgewater Development; 80 Washington Street, Manistee, MI 49660

Planned Unit Development Changes and Zoning Amendments

Dear Ms. Blakeslee

On behalf of River Parc Place II LLC (Developer) I am requesting the City's assistance with addressing Zoning Ordinance provisions as related to the Edgewater project. The Edgewater project was permitted in May 2016 under a Special Use Permit for a Planned Unit Development (PUD). The PUD consisted of redevelopment of the building into 18 residential units, two small commercial (storefront) spaces and 18 on-site dedicated parking spaces, including permit conditions related to engineering and easement issues. Note that the inclusion of the two storefronts was desired at that time based on market conditions and State of Michigan Community Revitalization Program (CRP) grant preferences.

In late January 2017 it became apparent that the commercial use of the two storefront spaces was no longer financially viable while the demand for indoor parking exceeded prior expectations. Additionally, the "job creation" preference of the CRP grant related to the two storefronts would be met by the redevelopment of the adjoining property, the North Channel Outlet, which along with the Edgewater development is a major component of the South Washington Area Redevelopment Project and partially under the control of the Developer. Therefore, the two storefronts were not finished, instead they were temporarily fitted with garage doors to prevent damage and vandalism to the spaces until the matter could be addressed with City staff.

In February 2017, following discussions with City staff we understood that a PUD Amendment would be required to address the implications of converting the storefronts to garages that will be available for rent to the Edgewater owners. Subsequently, in March 2017 City staff determined that a Variance and a Special Use Permit for Multiple Unit Dwelling would be instead required.

Finally, based on the most recent discussion with City staff, we understand that Zoning Amendments related to the parking requirements and the frontage on Washington Street would be the most appropriate means to allow the conversion of the two storefronts to the two garages.

Therefore, we request the following:

1. **Section 514 – Vehicular Parking Space, Access, and Bike Parking and Sidewalks.** A text amendment that amends the requirement for parking for residential use condominiums in the C-3 Zoning District that would reduce the required parking within 200 feet from the building from 27 to 18 on-site parking spaces.  
**Note:** The Edgewater development will provide 18 on-site parking spaces for the condominium owners.
2. **Section 1832 – Dwelling, Multiple Unit.** An amendment that amends the requirement that at least the first 20 feet of depth at the street level of the building in the C-3 Zoning District are dedicated to a commercial use, applies only to buildings fronting River Street.  
**Note:** The east façade of the Edgewater building is facing Washington Street, however, it is not accessible from the street due to the Maple Street bridge.

The applicant has two issues that need to be addressed parking and the requirement for commercial use fronting on the street. The removal of the commercial units would not allow the project to be eligible as a Planned Unit Development. The applicant could either request a variance from the Zoning Board of Appeals or as for an Amendment to the ordinance. During the ordinance review staff noted that the parking standards for Adaptive Reuse were different than the standards in Section 514 Parking and the Commercial requirement for Adaptive Reuse and Dwelling Multi Unit were different and supplied this information to the applicant as noted in his request.

Review of the Zoning Ordinance shows that parking is only required for residential use condominiums in the C-3 District and does not apply for single family dwellings, duplexes or multi-unit dwellings. Discussed the parking standards under adaptive reuse as follows:

**SECTION 1807            ADAPTIVE REUSE**

**C. Regulations and Conditions:** A building originally designed and constructed for another purpose may be adaptively reused in accordance with the following standards and conditions.

1. The Adaptive Reuse of a building in the C-3 District shall meet the following standards:
  - e. Parking shall be located at the rear or side of the building or within an enclosed building and shall be appropriately buffered or screened. ***Required parking shall be provided within two hundred (200) feet of the building. One (1) space shall be provided per dwelling unit.***

The language that is drafted reduces the number of parking spaces from 1.5 spaces per unit to 1 space for unit. The applicant's site plan shows 18 parking spaces that was permitted under the PUD.

The applicant is requesting an amendment to Section 1832 Dwelling, Multiple Unit. This amendment provides language that is similar to Section 1807 Adaptive Reuse, Item C.1.c

**SECTION 1807            ADAPTIVE REUSE**

**C. Regulations and Conditions:** A building originally designed and constructed for another purpose may be adaptively reused in accordance with the following standards and conditions.

1. The Adaptive Reuse of a building in the C-3 District shall meet the following standards:
  - c. For buildings fronting on River Street, at least the first 25 feet of depth at street level of the building shall be dedicated to Retail, Eating or Drinking Establishment, or Personal Service Establishment.

If the proposed amendment is approved, the project would meet the standards of Section 1832 Dwelling, Multi Unit and the developer could request a Special Use Permit that would replace the PUD and move forward with his development.

Chair Wittlieff opened the hearing for public comments

Jim Smith 353 First Street – asked for clarification if it would only require a commercial use on River Street properties.

Barry Lind, 532 Fourth Street – spoke of process for requests; noticing requirements; parking; DDA has specific concerns; spoke of the building and use; expressed concerns about the scope of changes; spoke of adaptive reuse standards; how to secure parking contracts that can't be broken.

Ms. Blakeslee spoke of the noticing requirements required under the act, process and license agreements.

There being no additional comments from the public in attendance and no correspondence was received in response to the request, Chair Wittlieff closed the public hearing at 8:30 pm

## **PUBLIC COMMENT ON AGENDA RELATED ITEMS**

Chair Wittlieff asked if anyone in attendance had any comments on Agenda Related Items.

Jim Smith 353 First Street – thanked the Planning Commission and staff for all their efforts on the amendments.

## **NEW BUSINESS**

### **Zoning Amendment Z17-02 – Wireless Communication Facilities**

A public hearing was held earlier regarding a proposed zoning amendment relating to wireless communication facilities.

MOTION by Roger Yoder, seconded by Ray Fortier that the Planning Commission recommends to City Council approval of a Zoning Amendment Z17-02 – Wireless Communication Facilities

With a Roll Call vote this motion passed 7 to 0.

Yes: Slawinski, Fortier, Barry, Yoder, Bennett, McBride, Wittlieff  
No: None

### **Zoning Amendment Z17-03 – Parking Standards**

A public hearing was held earlier regarding a proposed zoning amendment relating to parking standards

MOTION by Bob Slawinski, seconded by Roger Yoder that the Planning Commission recommends to City Council approval of a Zoning Amendment Z17-03 – Parking Standards and change the title for Section 514 to be shortened to read “Section 514 Parking, Bike Parking and Sidewalks”

With a Roll Call vote this motion passed 7 to 0.

Yes: Fortier, Barry, Yoder, Bennett, McBride, Slawinski, Wittlieff  
No: None

### **Zoning Amendment Z17-04 – Miscellaneous Items**

A public hearing was held earlier regarding a proposed zoning amendment relating to miscellaneous items in the zoning ordinance.

MOTION by Ray Fortier, seconded by Aaron Bennett that the Planning Commission recommends to City Council approval of a Zoning Amendment Z17-004 – Miscellaneous Items with the following changes:

Section 514.A be changed to read:

- A. Intent and Purpose: To promote the safe, effective and efficient use of Solar Energy Systems. Preserve and protect public health, safety, welfare and quality of life by minimizing the potential adverse effects of Solar Energy Systems, including aesthetic impacts and risks to the property

values of adjoining properties. To establish standards and procedures by which the siting, design, engineering, installation, operation and maintenance of Solar Energy Systems shall be governed.

Typo in Item B.4 be corrected by changing “the” to “they” in the first sentence.  
Delete Item 6 (duplicate of Item 4).

With a Roll Call vote this motion passed 7 to 0.

Yes: Bennett, Slawinski, Fortier, Barry, Yoder, McBride, Wittlieff  
No: None

#### **Zoning Amendment Z17-05 – Dumpster Standards**

A public hearing was held earlier regarding a proposed zoning amendment relating to dumpster standards.

MOTION by Roger Yoder, seconded by Marlene McBride that the Planning Commission recommends to City Council approval of a Zoning Amendment Z17-05 – Dumpster Standards with the following change:

SECTION 506. G be changed to read

- G. Upon the recommendation of the Zoning Administrator, the Planning Commission may approve a site plan that does not comply with the requirements of this section where local conditions make full compliance impossible.***

With a Roll Call vote this motion passed 7 to 0.

Yes: Yoder, Bennett, McBride, Slawinski, Fortier, Barry, Wittlieff  
No: None

#### **Zoning Amendment Z17-06 – Signs**

A public hearing was held earlier regarding a proposed zoning amendment relating to signs.

MOTION by Maureen Barry seconded by Bob Slawinski that the Planning Commission recommends to City Council approval of Zoning Amendment Z17-06 – Signs

With a Roll Call vote this motion passed 7 to 0.

Yes: Barry, Yoder, Bennett, McBride, Slawinski, Fortier, Wittlieff  
No: None

#### **PC-2017-07 - River Parc Place II LLC, Zoning Amendment Request (Z17-07)**

A public hearing was held earlier regarding a request from River Parc Place II LLC for a Zoning Amendment that would amend Section 514 Vehicular Parking Space, Access, Bike Parking and Sidewalks, Item H and Section 1832 Dwelling Multiple Unit, Item B.3 of the City of Manistee Zoning Ordinance.

MOTION by Aaron Bennett seconded by Marlene McBride that the Planning Commission tabled the request until the June 1, 2017 meeting for the applicant to be present to discuss their request.

With a Roll Call vote this motion passed 7 to 0.

Yes: McBride, Slawinski, Fortier, Barry, Bennett, Yoder, Wittlieff  
No: None

#### **OLD BUSINESS**

None

#### **PUBLIC COMMENTS AND COMMUNICATIONS**

None

#### **CORRESPONDENCE**

None

#### **STAFF REPORTS**

**Denise Blakeslee, Planning & Zoning Administrator** – spoke to the Commissioners about obtaining their Citizen Planner training by using Webinars. Commissioners were asked to bring their calendars with them to schedule dates in the future.

#### **MEMBERS DISCUSSION**

Commissioners thanked staff for their work on the Zoning Amendments.

Chair Wittlieff thanked the commissioners for their work on the Oleson's project.

The next regular meeting of the Planning Commission will be held on Thursday, June 1, 2017

#### **ADJOURNMENT**

Motion by Ray Fortier seconded by Roger Yoder that the meeting be adjourned. MOTION PASSED UNANIMOUSLY.

Meeting adjourned at 8:48 pm

MANISTEE PLANNING COMMISSION

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Denise J. Blakeslee, Recording Secretary



Planning & Zoning  
 City Hall  
 70 Maple Street  
 Manistee, MI 49660  
 231.398.2805 (phone)  
 231.723.1546 (fax)

## Commercial Land Use Permit Application

**A Medium Site Plan** shall be required for all uses other than those that may submit a *Basic Site Plan* (new dwellings, additions to dwellings, or construction of accessory structures, single family dwellings; accessory structures and additions to existing single family dwellings; and accessory structures and additions to multiple unit dwellings which do not result in an increase in the number of units) or require a *Detailed Site Plan* (Special Uses). **Applications must be submitted 15 days prior to the meeting if required to go to the Planning Commission to review for completeness**

Please Print

**Level I Review:** Additions and alterations to existing structures will be reviewed by the Zoning Administrator who shall reserve the right to forward it to the Site Plan Review Committee for approval.  
**Level II Review:** New construction shall be reviewed by the Site Plan Review Committee who shall reserve the right to forward it to the Planning Commission for approval.

### Property Information

Address: 308 RIVER ST Parcel # 51-452-704-23

### Applicant Information

Name of Owner or Lessee: TRACEY LINDGREN

Address: 300 AUBURN RD PILES GROVE VT 08098

Phone #: 856-297-0859 Cell#: 856-297-0859 e-mail: TLINDGREN@COMCAST.NET

Name of Contractor (if applicable):

Address:

Phone #: Cell#: e-mail:

License Number: Expiration Date:

### Project Information

Description of Project (include square feet):  
WOOD DECK ON REAR OF BLDG ≈ 400 SQ FT

Area of Subject Property: REAR Finished Height of Project: BELOW BLDG SEE DRAWING

Zoning Classification: C3 Present/proposed Land Use: MULTI

What impacts will project have on City Services: NONE

### Authorization

By signing the application the applicant is authorizing City Staff permission to make site inspections as necessary. The undersigned affirms that the information included in this application is correct. Further if the request is approved, the applicant will comply with all of the requirements of the City of Manistee Zoning Ordinance and certifies that measures proposed to mitigate adverse impacted will be completed in a timely fashion.

Signature: [Signature] Date: 5/16/17

Fee (\$100.00 Level I or \$200.00 Level II) enclosed and Site Plan for project attached (permit cannot be issued without site plan)

### Office Use Only

Fee:  \$100.00 Level I Review Fee:  \$200.00 Level II Review Receipt #

Zoning District: Notes:

Signature: Date:

Site Plan Review  
C-3 Central Business District

Name of Owner: Tracey Lindeman			
Address/Parcel Code # 308 River Street / 51-452-704-23			
Proposed Use: Proposed deck addition on rear of building			
> = Greater than < = Less than +/- = More or Less than	Requirements	Proposed	Compliance Yes No
Minimum Lot Area	2,500 sq. ft.	13,000 sq. ft. +/-	X
Minimum Lot Width	25 ft.	25 ft.	X
Maximum Building Height	4 stories, or 50 ft.	No change	X
Maximum Lot Coverage	100%	Less than 100%	X
Minimum Living Area	500 sq. ft.	n/a	
Front Yard Set Back	0 ft.	0 ft.	X
Side Yard Set Back: <small>Where a building is not proposed to be sited on the side lot line, a minimum yard of four (4) feet shall be provided.</small>	0 or 4 ft. (each side)	0 ft.	X
Rear Yard Set Back:	6 ft.	n/a	
Waterfront	20 ft.	Greater than 20 ft	X
Parking Requirements:	0	n/a	X
Signage – subject to Article 21: <b><i>no change proposed</i></b>			X
Landscaping Requirements – subject to Section 531: <b><i>no change proposed</i></b>			X
Outdoor Lighting Requirements – subject to Section 525: <b><i>no change proposed</i></b>			X
Notes:			
Proposed deck addition on rear of building.			
Zoning Review by:			

# PROJECT INFORMATION

## PROPERTY OWNER/APPLICANT

TRACEY LINDERMAN  
300 ALBURN ROAD  
PIESGROVE, NJ 08098  
856-297-0859

## ZONING INFORMATION

PARCEL ZONING - C3  
PROPOSED USE - PARCEL ADDRESS - 308 RIVER STREET, MANISTEE, MI 49660  
PROPERTY TAX ID : 51-452-704-23

## DISTRICT REGULATIONS

ZONING DISTRICT - C3  
MINIMUM LOT WIDTH - 25 FT.  
MINIMUM LOT AREA - 2,500 SQ. FT.  
MAXIMUM BUILDING HEIGHT - 4 STORIES OR 50 FT.  
MAXIMUM LOT COVERAGE - 100%  
MINIMUM BUILDING SETBACKS:  
FRONT - 0 FT.  
SIDE - 0 TO 4 FT.  
REAR - 6 FT.  
WATERFRONT YARD - 20 FT.

## LEGAL DESCRIPTION AS PROVIDED:

GREEN + MILMOES ADD LOT 42  
308 RIVER STREET, MANISTEE, MI 49660  
MANISTEE COUNTY, MI

## GENERAL NOTES

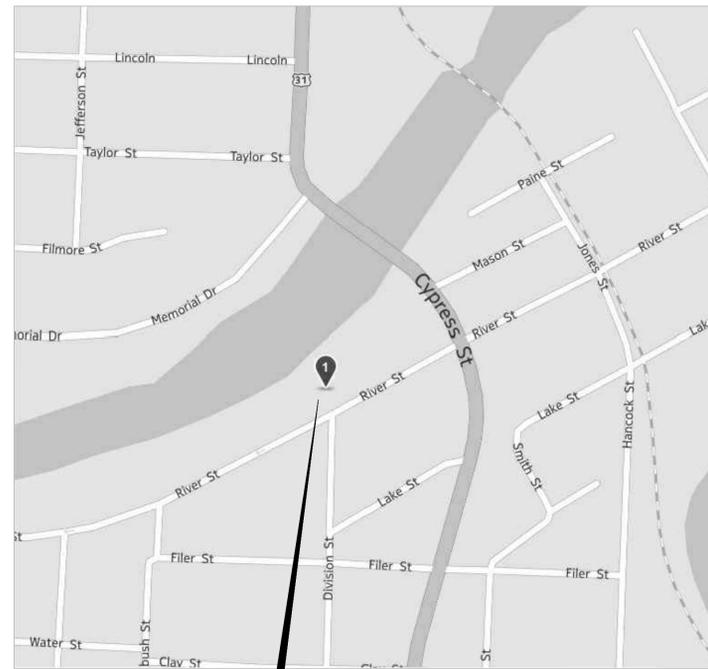
- CONTRACTOR TO REPLACE NATURAL VEGETATION COVERING UPON COMPLETION OF CONSTRUCTION IN ALL DISTURBED AREAS. OWNER SHALL MAINTAIN GROUND COVER THEREAFTER.
- CONTRACTOR TO PLACE 2 ROWS OF SILT FENCE PER MANUFACTURERS SPECIFICATIONS AROUND PERIMETER OF CONSTRUCTION SITE.
- CONTRACTOR TO PROVIDE PROTECTION AT EDGE OF DRAINFIELD PRIOR TO DRIVEWAY GRADING AND PAVING, AND DURING CONSTRUCTION OF RETAINING WALL.
- APPROXIMATE TIMING OF PROJECT:  
CONSTRUCTION COMMENCING FALL, TBD  
PROJECT COMPLETION DURING SPRING, TBD

## LOCATION OF EXISTING UTILITIES

- EXISTING PUBLIC AND KNOWN UNDERGROUND STRUCTURES ARE SHOWN ON THE PLANS. THE INFORMATION SHOWN IS BELIEVED TO BE REASONABLY CORRECT AND COMPLETE. HOWEVER, NEITHER THE CORRECTNESS OR THE COMPLETENESS OF SUCH INFORMATION IS GUARANTEED. PRIOR TO THE START OF ANY CONSTRUCTION, THE CONTRACTOR SHALL NOTIFY 'MISSDIG' AND REQUEST THE UTILITY COMPANIES TO MARK THE UTILITIES IN QUESTION.
- SPECIAL CARE SHALL BE TAKEN IN EXCAVATING IN THE PROXIMITY OF ALL UNDERGROUND UTILITIES. THE CONTRACTOR SHALL PROVIDE SUPPORT FOR ANY UTILITIES WITHIN THE EXCAVATION, PROVIDE PROPER COMPACTION UNDER ANY UNDERMINED UTILITY STRUCTURE AND IF NECESSARY, INSTALL TEMPORARY SHEETING OR USE A TRENCH BOX TO MINIMIZE THE EXCAVATION. CONTRACTOR SHALL PROTECT AND SAVE HARMLESS FROM DAMAGE ALL UTILITIES, ABOVE OR BELOW THE GROUND SURFACE, WHICH MAY BE ENCOUNTERED DURING CONSTRUCTION.



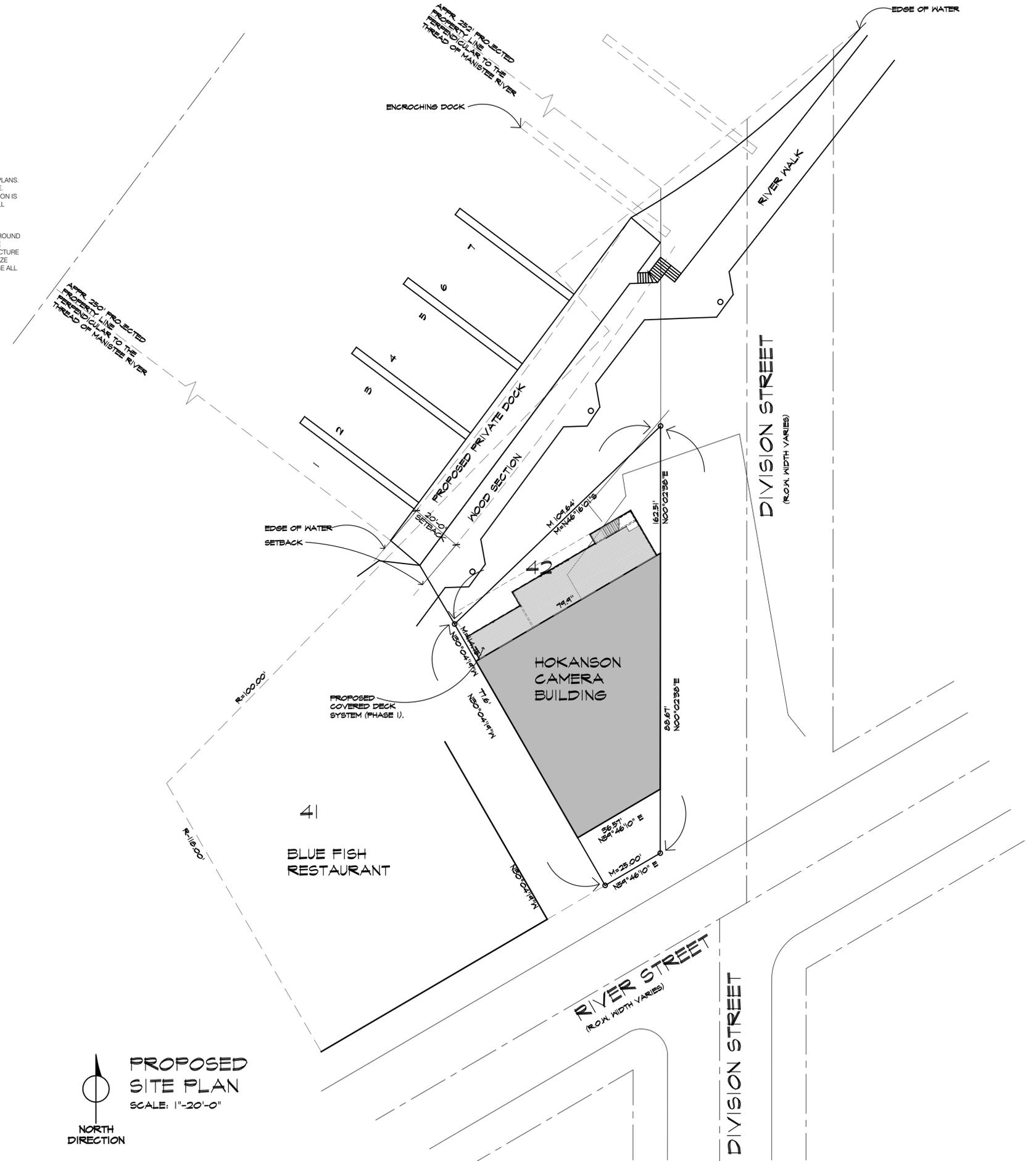
THE LOCATION OF THE EXISTING UTILITIES, AS SHOWN ON THIS PLAN, ARE APPROXIMATE ONLY. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY ACTUAL LOCATION AND DEPTH OF ALL EXISTING UTILITIES. THE OWNER AND THE SURVEYOR SHALL NOT BE RESPONSIBLE FOR ANY OMISSION OR VARIATION FROM THE LOCATION SHOWN. THE CONTRACTOR SHALL NOTIFY 'MISS DIG' AT 1 (800) 465-7171 THREE (3) WORKING DAYS PRIOR TO THE START OF CONSTRUCTION.



**PROJECT LOCATION**



**PROPOSED SITE PLAN**  
SCALE: 1"=20'-0"

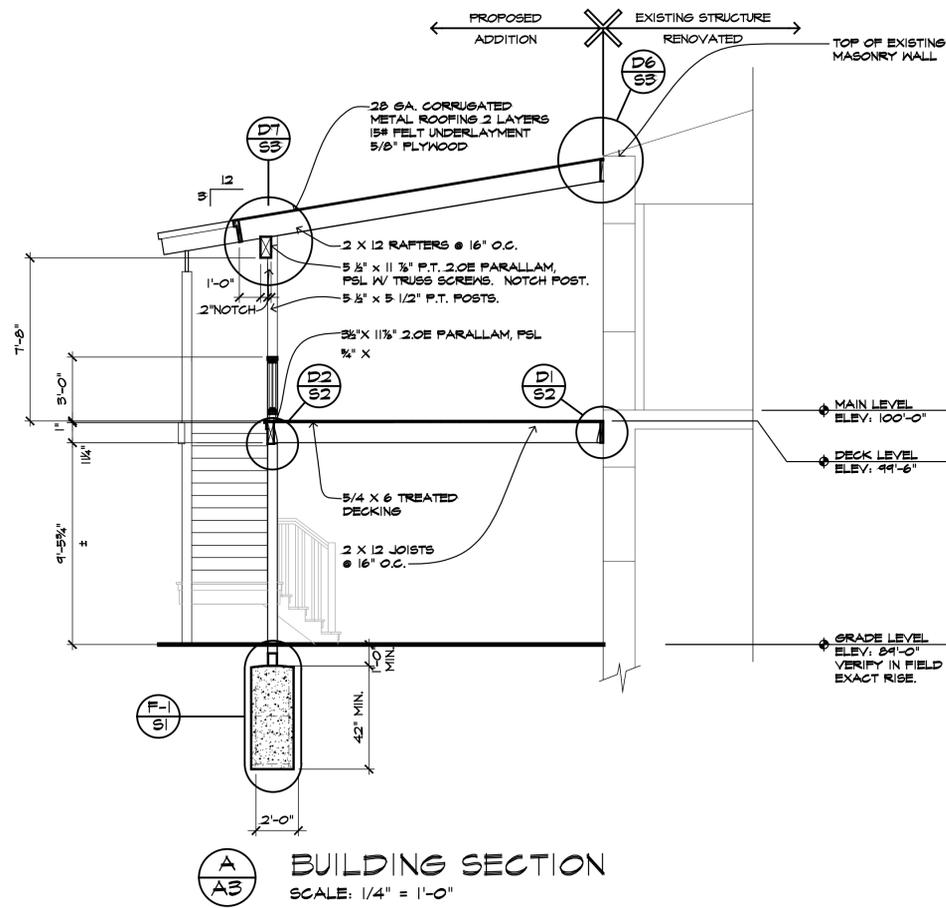


(PHASE I) additions and renovations for:  
**Lindeman Manistee, MI**

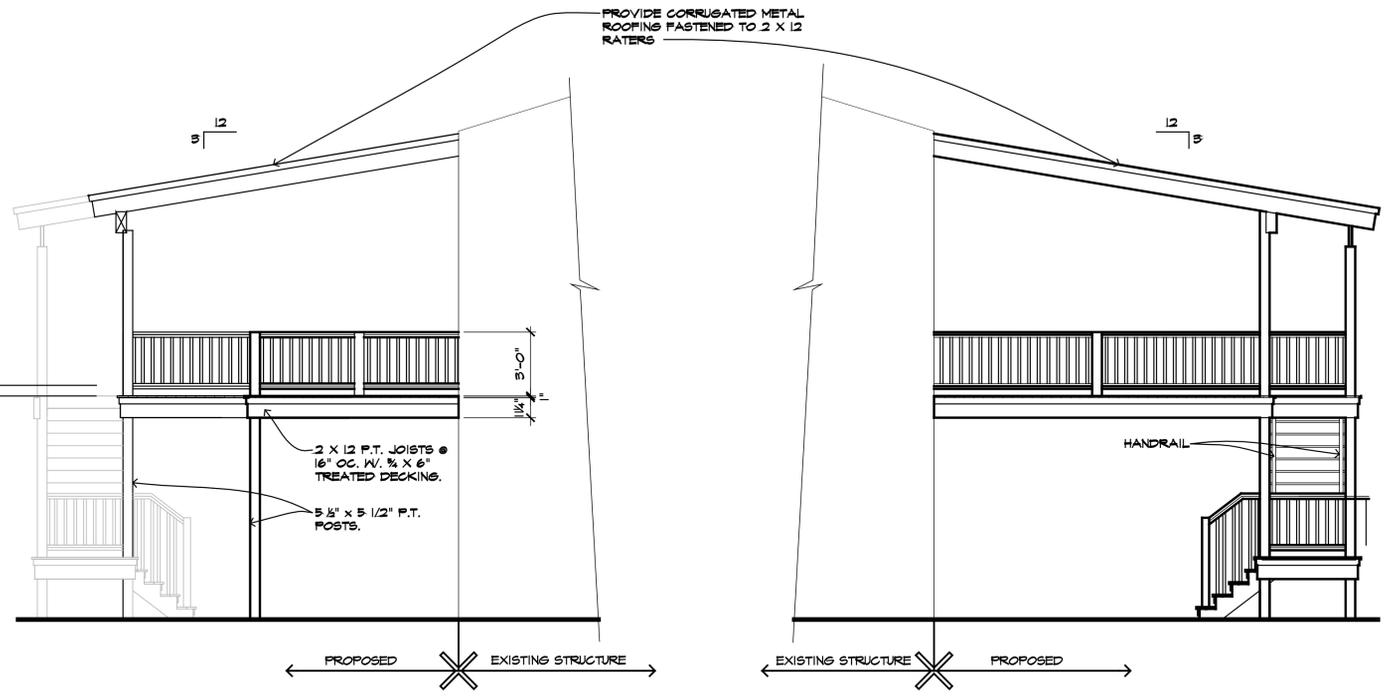
drawn by: **djm / tap**  
date: **6/25/15**  
job #: **2014.29**  
sheet #



OWNERS/CLIENTS FINAL REVIEW  
03/12/2014



**A**  
**A3** BUILDING SECTION  
SCALE: 1/4" = 1'-0"



**PROPOSED WEST ELEVATION**  
SCALE: 1/4" = 1'-0"

**PROPOSED EAST ELEVATION**  
SCALE: 1/4" = 1'-0"



**PROPOSED NORTH ELEVATION**  
SCALE: 1/4" = 1'-0"

• WINDOW NUMBERS ARE PELLA ALUM. CLAD UNITS. SITE VERIFY SIZES  
DAVID FOISE  
EMAIL: dfoise@pellabyhome.com  
800-468-4028

**B**  
**A3** BUILDING SECTION  
SCALE: 1/4" = 1'-0"



Planning Commission/Planning & Zoning  
 City Hall  
 70 Maple Street  
 Manistee, MI 49660  
 231.398.2805 (phone)  
 231.723.1546 (fax)

## Zoning Amendment Request

Please Print

Zoning Amendment Request Requirements	
<p><b>Request must be received 25 days prior to the City of Manistee Planning Commission meeting to be placed on the agenda.</b> Notice of the Public Hearing shall be held before the Planning Commission. Notice shall include publication in a newspaper and posting in City Hall. <b>Fee for Petition of Zoning Amendment is \$1,000.00</b> which needs to be submitted with the application. You or your representative should be present at the meeting to explain your request to the Planning Commission and to answer any questions. After the public hearing, the Planning Commission will make a recommendation to the City Council. Two readings are required for Zoning Amendments at regularly scheduled Council Meetings. The City Council will consider final action on your petition.</p>	
Applicant Information	
Name of Owner:	River. Parc Place II LLC
Address:	80 Washington Street, Manistee Mi. 49660
Phone #:	616 847 1031 Cell#: 616 283 0757 e-mail: john@capstonecompanies.net
Name of Agent (if applicable):	John Groothuis
Address:	above
Phone #:	_____ Cell#: _____ e-mail: _____
Action Requested	
<input checked="" type="checkbox"/> <b>Text Amendment:</b> Amend Article _____ Section _____ of the Manistee City Zoning Ordinance. Attach copy of proposed ordinance language.	
<input type="checkbox"/> <b>Re-Zone:</b> Rezone Parcel # _____ from _____ to _____ for the following purposes:	
A previous application for a variance, special use permit or re-zoning on this land ( <input type="checkbox"/> has / <input type="checkbox"/> has not) been made with respect to these premises in the last _____ years. If a previous appeal, re-zoning or special use permit was made, state the action requested [Decision: <input type="checkbox"/> approved <input type="checkbox"/> denied] :	
Property Information	
Address:	Parcel #
Legal Description of Property affected:	
List of Deed Restrictions (cite Liber & Page) and attach additional sheets if necessary:	

Names and addresses of all persons, firms or corporations having a legal or equitable interest in the land:

This area is un-platted, will be platted is platted – Name of Plat:

Present use of Property:

**Site Plan Requirements**

Attach a site plan drawn to the scale of one (1) inch equals (10) feet, showing all existing structures on the property, all proposed structures and marking those structures that will be removed or razed. Also, the general shape, size and location of all existing structures within 100 feet of the property along with their uses shall be depicted on the site plan, along with all abutting roads, streets alleys or easements.

**Statement of Justification for Requested Action**

State specifically the reason for this Amendment request at this time:

**If the Amendment is a propose re-zoning, please answer the following questions:**

yes  no Will this re-zoning be in conformance with all adopted development plans of the City of Manistee?

yes  no Will this re-zoning be in conformance with all adopted development plans of and Manistee County?

yes  no Does the proposed re-zoning conform to the plans? If not, why should the change be made? Please be specific, brief and attach any supporting documentation which substantiates your claim. This could include an allegation that the existing zoning is in error which would be corrected by the proposed change, or that specific changes or changing conditions in the immediate area make the re-zoning necessary to promotion of public health, safety and general welfare.

What do you anticipate the impacts of the proposed zone change on the adjacent property to be? What steps do you propose to take to mitigate any negative impacts associated with the proposed change?

**Authorization**

**CERTIFICATION AND AFFIDAVIT:**

The undersigned affirm(s) that he/she/they is/are the  owner,  owner's representative, involved in the petition and that the answers and statements herein contained and the information submitted are in all respects true and correct to the best of his, her or their knowledge and belief.

Signature: [Signature] Date: 4-12-17

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

By checking this box permission is given for Planning Commission Members to make a site inspection if desired.

**Office Use Only**

Fee:  \$1,000.00

Receipt #

Date Received:

Hearing Date:

PC -

Edgewater Development; 80 Washington Street, Manistee, MI 49660

## Planned Unit Development Changes and Zoning Amendments

Dear Ms. Blakeslee

On behalf of River Parc Place II LLC (Developer) I am requesting the City's assistance with addressing Zoning Ordinance provisions as related to the Edgewater project. The Edgewater project was permitted in May 2016 under a Special Use Permit for a Planned Unit Development (PUD). The PUD consisted of redevelopment of the building into 18 residential units, two small commercial (storefront) spaces and 18 on-site dedicated parking spaces, including permit conditions related to engineering and easement issues. Note that the inclusion of the two storefronts was desired at that time based on market conditions and State of Michigan Community Revitalization Program (CRP) grant preferences.

In late January 2017 it became apparent that the commercial use of the two storefront spaces was no longer financially viable while the demand for indoor parking exceeded prior expectations. Additionally, the "job creation" preference of the CRP grant related to the two storefronts would be met by the redevelopment of the adjoining property, the North Channel Outlet, which along with the Edgewater development is a major component of the South Washington Area Redevelopment Project and partially under the control of the Developer. Therefore, the two storefronts were not finished, instead they were temporarily fitted with garage doors to prevent damage and vandalism to the spaces until the matter could be addressed with City staff.

In February 2017, following discussions with City staff we understood that a PUD Amendment would be required to address the implications of converting the storefronts to garages that will be available for rent to the Edgewater owners. Subsequently, in March 2017 City staff determined that a Variance and a Special Use Permit for Multiple Unit Dwelling would be instead required.

Finally, based on the most recent discussion with City staff, we understand that Zoning Amendments related to the parking requirements and the frontage on Washington Street would be the most appropriate means to allow the conversion of the two storefronts to the two garages.

Therefore, we request the following:

1. **Section 514 – Vehicular Parking Space, Access, and Bike Parking and Sidewalks.** A text amendment that amends the requirement for parking for residential use condominiums in the C-3 Zoning District that would reduce the required parking within 200 feet from the building from 27 to 18 on-site parking spaces.

Note: The Edgewater development will provide 18 on-site parking spaces for the condominium owners.

2. **Section 1832 – Dwelling, Multiple Unit.** An amendment that amends the requirement that at least the first 20 feet of depth at the street level of the building in the C-3 Zoning District are dedicated to a commercial use, applies only to buildings fronting River Street.

**Note:** The east façade of the Edgewater building is facing Washington Street, however, it is not accessible from the street due to the Maple Street bridge.

We understand that the appropriate language required for the two proposed amendments are:

**SECTION 514            VEHICULAR PARKING SPACE, ACCESS, AND BIKE PARKING AND SIDEWALKS**

- H. For all permitted uses and special uses in the C-3 District the parking provisions of this section shall not apply, except to hotels, motels, and residential use condominiums. **Required parking shall be provided within two hundred (200) feet of the building. One (1) space shall be provided per dwelling unit.**

**SECTION 1832            DWELLING, MULTIPLE UNIT**

**B. Regulations and Conditions.**

3. In the C-3 District, dwelling units shall not be located on the street level or basement except in those locations where resident privacy can be provided by building design, courtyards, topography or similar design; such as daylight or walkout dwelling units along the riverfront or into a secured and private side or rear yard. Provided, however, that in a mixed-use building **fronting on River Street, at least the first 20 feet of depth at street level of the building shall be dedicated to a commercial use.** ~~located in C-2 or C-3 Districts, the street level of a Multiple Unit Dwelling structure shall be dedicated to retail, commercial or office uses for a depth of not less than twenty feet from the street.~~

We appreciate your assistance with this. Please feel free to contact me if you have any questions.

**AN ORDINANCE TO AMEND IN PART  
AN ORDINANCE ENTITLED "MANISTEE CITY ZONING ORDINANCE"  
WHICH WAS ADOPTED FEBRUARY 21, 2006,**

To Amend the Manistee City Zoning Ordinance

**Article 5: General Provisions  
AMEND Section 514 Vehicular Parking Space, Access, Bike Parking and Sidewalks, Item H**

**Article 18: Standards and Requirements for Special Uses  
AMEND Section 1832 Dwelling, Multiple Unit, Item B.3**

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THE CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN, ORDAINS:

1. That Article 5: General Provisions, Section 514 Vehicular Parking Space, Access, Bike Parking and Sidewalks, Item H be AMENDED as follows:

**SECTION 514           VEHICULAR PARKING SPACE, ACCESS, AND BIKE PARKING AND SIDEWALKS**

- H. For all permitted uses and special uses in the C-3 District the parking provisions of this section shall not apply, except to hotels, motels, and residential use condominiums. **Required parking shall be provided within two hundred (200) feet of the building. One (1) space shall be provided per dwelling unit.**

2. That Article 18: Standards and Requirements for Special Uses, Section 1832 Dwelling, Multiple Unit, Item B.3 be AMENDED as follows:

**SECTION 1832           DWELLING, MULTIPLE UNIT**

**B. Regulations and Conditions.**

3. In the C-3 District, dwelling units shall not be located on the street level or basement except in those locations where resident privacy can be provided by building design, courtyards, topography or similar design; such as daylight or walkout dwelling units along the riverfront or into a secured and private side or rear yard. Provided, however, that in a mixed-use building **fronting on River Street, at least the first 20 feet of depth at street level of the building shall be dedicated to a commercial use.** ~~located in C-2 or C-3 Districts, the street level of a Multiple Unit Dwelling structure shall be dedicated to retail, commercial or office uses for a depth of not less than twenty feet from the street.~~
3. **CONFLICTING ORDINANCES:** that any and all ordinances of City of Manistee which may conflict with the provisions of this ordinance be and are hereby rescinded.
4. **EFFECTIVE DATE:** This Ordinance shall take effect seven days after publication in the Manistee News Advocate.

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James Smith, Mayor

Dated

ATTEST:

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Michelle Wright  
City Clerk/Deputy Treasurer

Dated

For Public Hearing 5/4/17